

REMARKS

Claims 11-12, 14, 27-28 and 36-37 are pending in this application. In the Office Action dated July 29, 2004, the Examiner took the following action: (1) rejected claims 11-12, 14, 27-28 and 36-37 under 35 U.S.C. § 101 for double patenting over co-pending Application Numbers 09/803,365, 10/043,462, 10/043,682, 10/043,683 and 10/410,575; and (2) rejected claims 11-12, 14, 27-28 and 36-37 as being of obviousness-type double patenting over pending claims of co-pending Application Numbers 10/119,550 and 10/753,895.

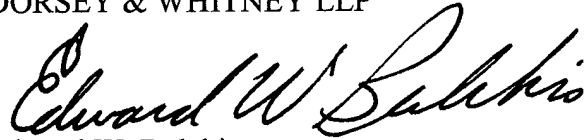
In reference to (1) above, Applicants have reviewed the co-pending applications and do not find that the same subject matter is claimed in this instant application. Applicants request the statutory double patenting rejection be removed. If the examiner is still in disagreement with the applicants, the examiner is kindly asked to provide specifics as to the claimed "same invention" between this application and the co-pending applications.

With reference to (2) above, Applicants submit a terminal disclaimer thereby alleviating the obviousness-type double patenting rejection over the claims of the co-pending applications.

All of the claims remaining in the application are now clearly allowable.
Favorable consideration and a timely Notice of Allowance are earnestly solicited.

Respectfully submitted,

DORSEY & WHITNEY LLP

A handwritten signature in black ink, reading "Edward W. Bulchis". The signature is written in a cursive style with a large, stylized "E" and "B".

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Enclosures:

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Fee Transmittal Sheet (+copy)

Terminal Disclaimer

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